

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UFP VENTURES II, INC.,

Plaintiff,

v.

VIKING POLYMERS, LLC,

Defendant.

MEMORANDUM

13-cv-586-bbc

Plaintiff UFP Ventures II, Inc., filed this civil action in August 2013, alleging diversity jurisdiction under 28 U.S.C. § 1332. After reviewing the case, I had questions about the adequacy of the allegations of diversity because defendant was alleged to be a limited liability company and plaintiff has not alleged the citizenship of each of its members. Plaintiff was directed to advise the court on this issue.

Plaintiff has responded by filing an amended complaint in which he identifies the members of Viking Polymers, LLC. According to plaintiff, the members are several trusts and several individuals, including the trustee, all of whom are identified and alleged to reside (or exist) in North Carolina and to be citizens of that state. The amended complaint is sufficient to show at this time that plaintiff has met the jurisdictional prerequisites for filing its case in federal court (the amount in controversy exceeds \$75,000). Of course, defendant

is free to challenge the allegations of citizenship at the summary judgment stage.

Entered this 27th day of December, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge